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ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

FENNEMORE CRAIG, P.C.  
Patrick J. Black (No. 017141)  
3003 N. Central Ave.  
Suite 2600  
Phoenix, Arizona 85012  
Attorneys for H2O, Inc.

**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF H2O, INC. FOR A DETERMINATION  
OF THE CURRENT FAIR VALUE OF ITS  
UTILITY PROPERTY AND FOR AN  
INCREASE IN ITS WATER RATES AND  
CHARGES FOR UTILITY SERVICES.

DOCKET NO: W-02234A-07-0557

**NOTICE OF COMPLIANCE WITH  
DECISION NO. 71414**

H2O, Inc. ("H2O" or "Company") hereby submits this Notice of Compliance pursuant to Decision No. 71414 (December 8, 2009) ("Order"). The Order requires the Company to: 1) file a revised schedule of rates and charges; and 2) notify its customers of the revised rates and charges.

Attached as **Exhibit A** is H2O's complete tariff, which includes a Statement of Charges reflecting the Company's new rates, and the Cross-Connection Control schedule approved in Decision No. 58641 (May 27, 1994).

Attached as **Exhibit B** are the affidavit of Donald L. Schnepf and a copy of the notice which was mailed to customers.

RESPECTFULLY SUBMITTED this 15<sup>th</sup> day of January, 2010.

FENNEMORE CRAIG, P.C.

Arizona Corporation Commission

**DOCKETED**

JAN 15 2010

DOCKETED BY

By

Patrick J. Black  
3003 North Central Avenue, Suite 2600  
Phoenix, Arizona 85012  
Attorneys for H2O, Inc.

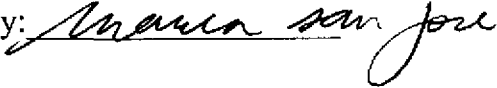
1 **ORIGINAL** and thirteen (13) copies  
2 of the foregoing were filed  
3 this 15<sup>th</sup> day of January, 2010 with:

4 Docket Control  
5 Arizona Corporation Commission  
6 1200 West Washington  
7 Phoenix, Arizona 85007

8 **COPY** was hand-delivered  
9 this 15<sup>th</sup> day of January, 2010 to:

10 Charles Hains  
11 Legal Division  
12 Arizona Corporation Commission  
13 1200 West Washington  
14 Phoenix, Arizona 85007

15 Carmel Hood, Compliance  
16 Utilities Division  
17 Arizona Corporation Commission  
18 1200 West Washington  
19 Phoenix, Arizona 85007

20 By: 

21 2275303.1/46327.004

# EXHIBIT

# A

		Revised	SHEET NO.	
H2O, Inc.				
(Name of Company)	ALL SERVICE AREAS			
W-02234A-07-0557				

# TARIFF

ISSUED:			EFFECTIVE:	
	Month Day Year			Month Day Year
		ISSUED BY: <u>Donald L. Schnepf</u>		December 8, 2009
		<u>H2O, Inc.</u>		
		<u>41502 North Schnepf Road</u>		
		<u>Queen Creek, Arizona 85240</u>		
		Decision No. <u>71414</u>		

		Revised	SHEET NO.	i
H2O, Inc.				
(Name of Company)	ALL SERVICE AREAS			
W-02234A-07-0557				

**STATEMENT OF CHARGES**  
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D. Reconnection (delinquent – after hours) .....	3.0
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G. Deposit – Non-residential .....	3.0
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J. Re-establishment (after hours) .....	3.0
K. NFS Check.....	3.0
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ISSUED:		EFFECTIVE:	
	Month Day Year		Month Day Year
		ISSUED BY: <u>Donald L. Schnepf</u>	December 8, 2009
		H2O, Inc.	
		41502 North Schnepf Road	
		Queen Creek, Arizona 85240	
		Decision No. 71414	

		Revised	SHEET NO.	1.0
H2O, Inc.				
(Name of Company)	ALL SERVICE AREAS			
W-02234A-07-0557				

## STATEMENT OF CHARGES

### I. RATES

On December 8, 2009, in Decision No. 71414, the Arizona Corporation Commission issued an Order approving the following rates and charges to have become effective on November 30, 2009:

#### A. GENERAL RESIDENTIAL COMMERCIAL AND INDUSTRIAL SERVICE

##### 1. Monthly Usage Charge:

<u>Meter Size</u>	<u>Minimum Charge</u>
Inches	Per Month
5/8" x 3/4" Meter	\$ 10.40
3/4" Meter	\$ 15.60
1" Meter	\$ 25.90
1 1/2" Meter	\$ 51.90
2" Meter	\$ 83.00
3" Meter	\$ 166.10
4" Meter	\$ 259.50
6" Meter	\$ 519.00
Irrigation 3/4"	\$ 15.60
Irrigation 1"	\$ 25.90
Irrigation 1 1/2"	\$ 51.90
Irrigation 2"	\$ 83.00

ISSUED:		EFFECTIVE:	
Month Day Year		Month Day Year	
	ISSUED BY: Donald L. Schnepf		December 8, 2009
	H2O, Inc.		
	41502 North Schnepf Road		
	Queen Creek, Arizona 85240		
	Decision No. 71414		

		Revised	SHEET NO.	1.1
H2O, Inc.				
(Name of Company)	ALL SERVICE AREAS			
W-02234A-07-0557				

## STATEMENT OF CHARGES

### SECTION I (Cont.)

#### COMMODITY CHARGES:

##### **5/8 x 3/4" Meter**

0 to 3,000 gallons \$ 1.43

3,001 to 10,000 gallons \$ 2.15

Over 10,000 gallons \$ 2.58

##### **3/4" Meter**

0 to 3,000 gallons \$ 1.43

3,001 to 10,000 gallons \$ 2.15

Over 10,000 gallons \$ 2.58

##### **1" Meter**

0 to 25,000 gallons \$ 2.15

Over 25,000 gallons \$ 2.58

##### **1 1/2" Meter**

0 to 50,000 gallons \$ 2.15

Over 50,000 gallons \$ 2.58

##### **2" Meter**

0 to 80,000 gallons \$ 2.15

Over 80,000 gallons \$ 2.58

##### **3" Meter**

0 to 160,000 gallons \$ 2.15

Over 160,000 gallons \$ 2.58

##### **4" Meter**

0 to 250,000 gallons \$ 2.15

Over 250,000 gallons \$ 2.58

##### **6" Meter**

0 to 500,000 gallons \$ 2.15

Over 500,000 gallons \$ 2.58

ISSUED:		EFFECTIVE:	
	Month Day Year		Month Day Year
		ISSUED BY: Donald L. Schnepf	December 8, 2009
		H2O, Inc.	
		41502 North Schnepf Road	
		Queen Creek, Arizona 85240	
		Decision No. 71414	

		Revised	SHEET NO.	1.2
H2O, Inc.				
(Name of Company)	ALL SERVICE AREAS			
W-02234A-07-0557				

## STATEMENT OF CHARGES

### SECTION I (Cont.)

#### B. IRRIGATION SERVICE - Commodity Charge

##### **3/4" Irrigation**

0 to 3,000 gallons \$ 1.43

3,001 to 10,000 gallons \$ 2.15

Over 10,000 gallons \$ 2.58

##### **1" Irrigation**

0 to 25,000 gallons \$ 2.15

Over 25,000 gallons \$ 2.58

##### **1 1/2" Irrigation**

0 to 50,000 gallons \$ 2.15

Over 50,000 gallons \$ 2.58

##### **2" Irrigation**

0 to 80,000 gallons \$ 2.15

Over 80,000 gallons \$ 2.58

ISSUED:		EFFECTIVE:	
	Month Day Year		Month Day Year
		ISSUED BY: <u>Donald L. Schnepf</u>	December 8, 2009
		<u>H2O, Inc.</u>	
		<u>41502 North Schnepf Road</u>	
		<u>Queen Creek, Arizona 85240</u>	
		Decision No. 71414	



		Revised	SHEET NO.	2.0
H2O, Inc.				
(Name of Company)	ALL SERVICE AREAS			
W-02234A-07-0557				

## STATEMENT OF CHARGES

### II. TAXES AND ASSESSMENTS

In addition to all other rates and charges authorized herein, the Company shall collect from its customers all applicable sales, transaction, privilege, regulatory and other taxes and assessments as may apply now or in the future, per Rule A.A.C. R14-2-409.D(5).

ISSUED:			EFFECTIVE:			
	Month	Day	Year	Month	Day	Year
			ISSUED BY: <u>Donald L. Schnepf</u>			December 8, 2009
			<u>H2O, Inc.</u>			
			<u>41502 North Schnepf Road</u>			
			<u>Queen Creek, Arizona 85240</u>			
			Decision No. 71414			

		Revised	SHEET NO.	3.0
H2O, Inc.				
(Name of Company)	ALL SERVICE AREAS			
W-02234A-07-0557				

## STATEMENT OF CHARGES

### III. ADDITIONAL CHARGES

In addition to all other rates and charges authorized herein, the Company shall collect the following:

A.	Establishment of Service per A.A.C. R14-2-403(D)	\$ 15.00
B.	Establishment (After hours)	\$ 25.00
C.	Reconnection of Service (Delinquent)	\$ 15.00
D.	Reconnection of Service (Delinquent – after hours)	\$ 15.00
E.	Meter Test (if correct)	\$ 25.00
F.	Deposit – Residential Note 1	(1) <sup>1</sup>
G.	Deposit – Non-residential Note 2	(2)
H.	Deposit Interest – Note 3	(3)
I.	Re-establishment (within 12 months) Note 4	(4)
J.	Re-establishment (after hours) Note 4	(4)
K.	NSF Check	\$ 25.00
L.	Deferred Payment (per month)	1.50%
M.	Meter Re-read (if correct)	\$ 10.00
N.	Late Charge (per month)	1.50%
O.	Company Locks Damaged by Customer – Note 5	(5)
P.	Mains Damaged by Customer – Note 5	(5)

Note 1: Per Commission Rules (R14-2-403.B) Two times the average bill.  
Note 2: Per Commission Rules (R14-2-403.B) Two and one-half times the average bill.  
Note 3: Per Commission Rules (R14-2-403.B)  
Note 4: Months off system times the minimum (R14-2-403.D)  
Note 5: Per Commission Rules (R14-2-407.B)

ISSUED:		EFFECTIVE:	
Month Day Year		Month Day Year	
	ISSUED BY: <u>Donald L. Schnepf</u> <u>H2O, Inc.</u>		December 8, 2009
	<u>41502 North Schnepf Road</u> <u>Queen Creek, Arizona 85240</u>		
	Decision No. <u>71414</u>		

H2O, Inc.		Revised	SHEET NO.	3.1
(Name of Company)	ALL SERVICE AREAS			
W-02234A-07-0557				

## STATEMENT OF CHARGES

### SECTION III (Cont.)

- Q. Charge of moving customer meters – per customer request      Cost
- R. Charge of moving customer meters – after hours service charge      Cost
- S. Service Line and Meter Installation Charges

	<u>Service Line</u>	<u>Meter Installation</u>	<u>Total</u>
5/8" x 3/4" Meter	\$ 415.00	\$ 105.00	\$ 520.00
3/4" Meter	\$ 415.00	\$ 205.00	\$ 620.00
1" Meter	\$ 465.00	\$ 265.00	\$ 730.00
1 1/2" Meter	\$ 520.00	\$ 475.00	\$ 995.00
2" Turbine Meter	\$ 800.00	\$ 995.00	\$ 1,795.00
2" Compound Meter	\$ 800.00	\$ 1,840.00	\$ 2,640.00
3" Turbine Meter	\$ 1,015.00	\$ 1,620.00	\$ 2,635.00
3" Compound Meter	\$ 1,135.00	\$ 2,495.00	\$ 3,630.00
4" Turbine Meter	\$ 1,430.00	\$ 2,570.00	\$ 4,000.00
4" Compound Meter	\$ 1,610.00	\$ 3,545.00	\$ 5,155.00
6" Turbine Meter	\$ 2,150.00	\$ 4,925.00	\$ 7,075.00
6" Compound Meter	\$ 2,270.00	\$ 6,820.00	\$ 9,090.00
8" Meter and Larger	At Cost	At Cost	At Cost

In addition to the collection of regular rates, the utility will collect from its customers a proportionate share of any privilege, sales, use and franchise tax, per Commission Rule A.A.C. R14-2-409.D(5).

All advances and/or contributions are to include labor, materials, overheads and all applicable taxes, including all gross-up taxes for income taxes, if applicable.

ISSUED:		EFFECTIVE:	
Month Day Year		Month Day Year	
	ISSUED BY: <u>Donald L. Schnepf</u>		December 8, 2009
	<u>H2O, Inc.</u>		
	<u>41502 North Schnepf Road</u>		
	<u>Queen Creek, Arizona 85240</u>		
	Decision No. 71414		

H2O, Inc.		Revised	SHEET NO.	4.0
(Name of Company)	ALL SERVICE AREAS			
W-02234A-07-0557				

## STATEMENT OF CHARGES

### IV. PERMITTED COSTS

- A. Costs shall be verified by invoice.
- B. For services that are provided by the Company at cost, cost shall include labor, materials, other charges incurred, and overhead. However, prior to any such service being provided, the estimated cost of such service will be provided by the Company to the customer. After review of the cost estimate, the customer will pay the amount of the estimated cost to the Company.
- C. In the event that the actual cost is less than the estimated cost, the Company will refund the excess to the customer within 30 days after completion of the provision of the service or after Company's receipt of invoices, time sheets or other related documents, whichever is later.
- D. In the event the actual cost is more than the estimated cost, the Company will bill the customer for the amount due within 30 days after completion of the provision of the service or after the Company's receipt of invoices, time sheets or other related documents, whichever is later. The amount so billed will be due and payable 30 days after the invoice date.
- E. At the customer's request, the Company shall make available to the customer all invoices, time sheets or related documents that support the cost for providing such service.
- F. Permitted costs shall include any State or Federal income taxes that are or may be payable by the Company as a result of any tariff or contract for water facilities under which the Customer advances or contributes funds or facilities to the Company.

ISSUED:		EFFECTIVE:	
Month Day Year		Month Day Year	
	ISSUED BY: Donald L. Schnepf		December 8, 2009
	H2O, Inc.		
	41502 North Schnepf Road		
	Queen Creek, Arizona 85240		
	Decision No. 71414		

# TARIFF SCHEDULE

# ORIGINAL

**H2O, INC. Tempe Arizona**

Filed by: Donald Schnepf  
Title: President  
Date of Original Filing: May 26, 1994  
Telephone No. 966-0828  
System: 11-060

A.C.C. DOCKET NO. U-2234-94-230  
Cancelling A.C.C. No. (not applicable)  
Decision No. 58641  
Filed:  
Effective: June 1, 1994

## CROSS-CONNECTION CONTROL

**PURPOSE:**

To protect the public water supply in each of H2O, Inc.'s water systems from the possibility of contamination caused by backflow through unprotected cross-connections by requiring the installation and periodic testing of backflow-prevention assemblies pursuant to the provisions of the Arizona Administrative Code, Title 14, Chapter 2, Section 405.B.6 as adopted by the Arizona Corporation Commission, and Title 18, Chapter 4, Section 232, as adopted by the Arizona Department of Environmental Quality.

**INSPECTIONS:**

The customer shall cooperate fully with H2O, Inc., in its efforts to investigate and determine the degree of potential health hazard to the public water supply which may result from conditions existing on the customer's premises.

**REQUIREMENTS:**

In compliance with the Rules and Regulations of the Arizona Corporation Commission and the Arizona Department of Environmental Quality, specifically A.C.C. R14-2-405.B.6 and A.A.C. R18-4-232 relating to backflow prevention:

1. H2O, Inc., may require a customer to pay for and install, maintain, test and repair a backflow-prevention assembly if A.A.C. R18-4-232.B or C applies.
2. A backflow-prevention assembly required to be installed by the customer under this tariff shall comply with the requirements set forth in A.A.C. R18-4-232.D and E.
3. H2O, Inc., shall give any customer who is required to install and/or test a backflow-prevention assembly written notice of said requirement. If A.A.C. R14-2-410.B.1.a. is not applicable, the customer shall be given thirty (30) days in which to comply with this notice. If the customer can show good cause as to why he cannot install the device within thirty (30) days, H2O, Inc., or the Arizona Corporation Commission Staff may grant additional time for this requirement.
4. Testing shall be in conformance with the requirements of A.A.C. R18-4-232.F. H2O, Inc., shall not require an unreasonable number of tests.
5. The customer shall provide H2O, Inc., with records of installation and testing. For each backflow-prevention assembly, these records shall include:
  - a. assembly identification number and description;
  - b. location;
  - c. date(s) of test(s);
  - d. description of repairs made by tester; and
  - e. tester's name and certificate number.

APPROVED FOR FILING

DECISION #: 58641

**DISCONTINUANCE OF SERVICE:**

In accordance with A.A.C. R14-2-407 and 410 and provisions of this tariff, H2O, Inc., may terminate service or deny service to a customer who fails to install and/or test a backflow-prevention assembly as required by this tariff.

- A. In the event the backflow-prevention assembly has not been installed or fails any test and A.A.C. R14-2-410.B.1.a. is applicable, H2O, Inc., may terminate service immediately and without notice. The backflow-prevention assembly shall be installed and repaired by the customer and retested before service is restored.
- B. In the event the backflow-prevention assembly has not been installed or fails any test and A.A.C. R14-2-410.B.1.a. is not applicable, the backflow-prevention assembly shall be installed and/or repaired by the customer and retested within fourteen (14) days of written notice by H2O, Inc. Failure to install or to remedy the deficiency or disfunction of the assembly, or failure to retest shall be grounds for termination of water utility service in accordance with A.A.C. R14-2-410.

**EXHIBIT**

**B**

1  
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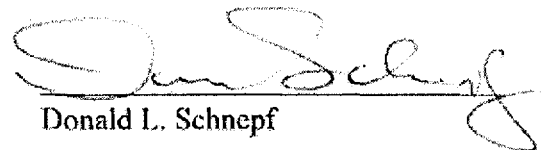
**AFFIDAVIT OF DONALD L. SCHNEPF**

Donald L. Schnepf, being duly sworn, deposes and says:

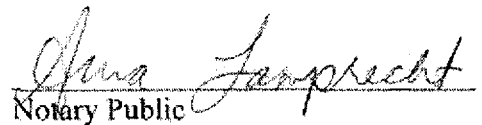
1. I am a resident of Pinal County, over 18 years of age, and make this affidavit based on my own personal knowledge.

2. I am Chief Executive Officer and President of H2O, Inc. (the "Company").

3. Pursuant to Decision No. 71414 (December 8, 2009), on December 31, 2009 the Company mailed to its customers a notice setting forth the revised schedule of rates and charges. A copy of the notice is attached hereto as **Exhibit 1**.

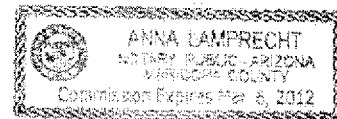
  
Donald L. Schnepf

SUBSCRIBED and sworn to before me this 13 day of January, 2010.

  
Notary Public

My Commission Expires:

March 6, 2012  
2274838.1



# EXHIBIT

1



## NOTICE

**On December 8, 2009, in Decision No. 71414, the Arizona Corporation Commission approved H2O's APPLICATION FOR A RATE DECREASE. The following rates will apply on your next billing cycle.**

<u>MONTHLY USAGE CHARGE:</u>	<u>Old Rates</u>	<u>NEW RATES</u>
5/8 X 3/4" Meter	\$ 15.00	\$ 10.40
3/4" Meter	\$ 18.00	\$ 15.60
1" Meter	\$ 37.00	\$ 25.90
1-1/2" Meter	\$ 75.00	\$ 51.90
2" Meter	\$ 120.00	\$ 83.00
3" Meter	N/T	\$ 166.10
4" Meter	N/T	\$ 259.50
6" Meter	N/T	\$ 519.00
Irrigation 3/4"	\$ 18.00	\$ 15.60
Irrigation 1"	\$ 37.00	\$ 25.90
Irrigation 1-1/2"	\$ 75.00	\$ 51.90
Irrigation 2"	\$ 120.00	\$ 83.00
Construction 2"	\$ 120.00	-
Construction 3"	N/T	-

<u>COMMODITY CHARGES</u>	<u>Per 1,000 Gallon</u>	<u>New Rates</u>
5/8 X 3/4-inch Meter	<u>Old Rates</u>	
0 to 3,000 Gallons	ALL METERS	\$ 1.43
3,001 to 10,000 Gallons	\$1.78 - 1,001 to 20,000	\$ 2.15
Over 10,000 Gallons	GAL \$2.11 OVER 20,000 GAL	\$ 2.58
3/4-inch Meter		
0 to 3,000 Gallons		\$ 1.43
3,001 to 10,000 Gallons		\$ 2.15
Over 10,000 Gallons		\$ 2.58
1-inch Meter		
0 to 25,000 Gallons		\$ 2.15
Over 25,000 Gallons		\$ 2.58
1-1/2-inch Meter		
0 to 50,000 Gallons		\$ 2.15
Over 50,000 Gallons		\$ 2.58
2-inch Meter		
0 to 80,000 Gallons		\$ 2.15
Over 80,000 Gallons		\$ 2.58
3-inch Meter		
0 to 160,000 Gallons		\$ 2.15
Over 160,000 Gallons		\$ 2.58
4-inch Meter		
0 to 250,000 Gallons		\$ 2.15
Over 250,000 Gallons		\$ 2.58
6-inch Meter		
0 to 500,000 Gallons		\$ 2.15
Over 500,000 Gallons		\$ 2.58
3/4-inch Irrigation Meter		
0 to 3,000 Gallons		\$ 1.43
3,001 to 10,000 Gallons		\$ 2.15
Over 10,000 Gallons		\$ 2.58
1-inch Irrigation Meter		
0 to 25,000 Gallons		\$ 2.15

# NOTICE

Over 25,000 Gallons	\$ 2.58
1-1/2-inch Irrigation Meter	
0 to 50,000 Gallons	\$ 2.15
Over 50,000 Gallons	\$ 2.58
2-inch Irrigation Meter	
0 to 80,000 Gallons	\$ 2.15
Over 80,000 Gallons	\$ 2.58

## SERVICE LINE AND METER INSTLLATION CHARGES

	<u>Old Rates</u>	<u>NEW RATES</u>		
		<u>Service Line</u>	<u>Meter Install</u>	<u>NEW Total</u>
5/8" X3/4" Meter	285.00	\$ 415.00	\$ 105.00	\$ 520.00
3/4" Meter	320.00	\$ 415.00	\$ 205.00	\$ 620.00
1" Meter	360.00	\$ 465.00	\$ 265.00	\$ 730.00
1-1/2" Meter	545.00	\$ 520.00	\$ 475.00	\$ 995.00
2- Meter	915.00			
2" Turbine Meter	N/T	\$ 800.00	\$ 995.00	\$ 1,795.00
2" Compound Meter	N/T	\$ 800.00	\$1,840.00	\$ 2,640.00
3-inch Meter	1,150.00			
3" Turbine Meter	N/T	\$1,015.00	\$1,620.00	\$ 2,635.00
3" Compound Meter	N/T	\$1,135.00	\$2,495.00	\$ 3,630.00
4-inch Meter	1,885.00			
4" Turbine Meter	N/T	\$1,430.00	\$2,570.00	\$ 4,000.00
4" Compound Meter	N/T	\$1,610.00	\$3,545.00	\$ 5,155.00
6-inch Meter	3,780.00			
6" Turbine Meter	N/T	\$2,150.00	\$4,925.00	\$ 7,075.00
6" Compound Meter	N/T	\$2,270.00	\$6,820.00	\$ 9,090.00
8" Meter and Larger	N/T	At Cost	At Cost	At Cost

## SERVICE CHARGES

	<u>Old Charges</u>	<u>New Charges</u>
Establishment	15.00	\$ 15.00
Establishment (After Hours)	25.00	\$ 25.00
Reconnection (Delinquent)	15.00	\$ 15.00
Reconnection (Delinquent-After Hours)	N/T	\$ 15.00
Meter Test (If Correct)	25.00	\$ 25.00
Deposit - Residential Note 1	(1)	(1)
Deposit - Non-Residential Note 2	N/T	(2)
Deposit Interest - Note 3	(3)	(3)
Re-Establishment (Within 12 months) Note 4	(4)	(4)
Re-Establishment (After Hours) Note 4	N/T	(4)
NSF Check	15.00	\$ 25.00
Deferred Payment - per Month	12% per annum	1.50%
Meter Re-Read (If Correct)	10.00	\$ 10.00
Late Charge per Month	N/T	1.50%
Company Locks Damaged by Customer - Note 5	N/T	(5)
Mains Damaged by Customer - Note 5	N/T	(5)
Charge of moving customer meters	N/T	At Cost
per Customer request		
Charge of moving customer meters	N/T	At Cost
After Hours service charge		

- Note 1 Per Commission Rules (R14-2-403.B) Two times the average bill
- Note 2 Per Commission Rules (R14-2-403.B) Two and one-half times the average bill
- Note 3 Per Commission Rules (R14-2-403.B)
- Note 4 Months off system times the minimum (R14-2-403.D)
- Note 5 Per Commission Rules (R14-2-407.B)